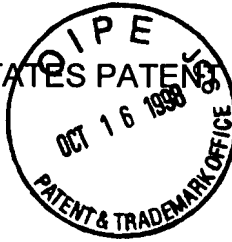


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Sector

In re application of:

Melvin S. MOGIL

Serial No.: 09/122,088

ATTN: BOX MISSING PARTS

Filed: July 24, 1998

For: PACK STRUCTURE

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner of Patents

ATTN: BOX MISSING PARTS

Washington, D.C. 20231

October 16, 1998

Sir:

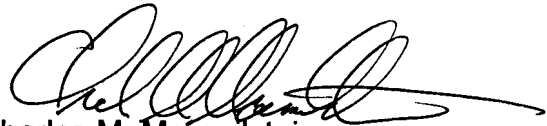
In response to the Notice to File Missing Parts of Application dated August 21, 1998, enclosed herewith for filing is the executed Declaration and Power of Attorney for the above-identified patent application.

Included in the attached check is the amount of Five Hundred Four Dollars (\$504.00) for payment of the filing fee and surcharge fee for a small entity. In the event that this check is found to be insufficient or if any additional fees are due with respect to this paper, please charge Deposit Account No. 14-1060.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fees for any such extension may be charged to our Deposit Account No. 14-1060.

Respectfully submitted,

NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP



Charles M. Marmelstein
Attorney for Applicant
Reg. No. 25,895

Atty. Docket No.: P570-8004

Metropolitan Square
655 15th Street, N. W.
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CMM:mmg

Enclosures: Check # 17764
Notice to File Missing Parts of Application Form
Declaration and Power of Attorney



OCT 16 1960

NIKAIDO MARMELSTEIN MURRAY & GRAM
METROPOLITAN SQUARE
655 FIFTEENTH ST NW
SUITE 330 - G ST LOBBY
WASHINGTON DC 20005-5701

NOT ASSIGNED

3728

DATE MAILED:

08/21/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 100,000.00

1. The statutory basic filing fee is:
- ☒ missing.
 - ☐ insufficient.

Applicant must submit \$ 1400 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$ 100, including any multiple dependent claim fees, are required.
 \$ 100 for 1 independent claims over 3.
 \$ 100 for 1 dependent claims over 20.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration: 1/16/4
- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration is required of all applicants.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
- See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."*

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

FORM PTO-1533 (REV.9-97)

PART 3 - OFFICE COPY